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LEGISLATIVE HISTORY

Public Law 86-153

S. 1110

TABLE OF CONTENTS

Index and summary of S. 1110.....	1
Digest of Public Law 86-153.....	2

INDEX AND SUMMARY OF S. 1110

Feb. 18, 1959	Rep. Dorn of S. C. introduced H. R. 4697 which was referred to the House Committee on Agriculture. Print of bill as introduced.
Feb. 19, 1959	Senator Johnston of S. C. introduced S. 1110 which was referred to Senate Committee on Agriculture and Forestry. Print of bill as introduced.
July 7, 1959	House committee voted to report H. R. 4697.
July 14, 1959	Senate Committee voted to report S. 1110.
July 15, 1959	Senate committee reported S. 1110 with amendments. Senate Report 525. Print of bill and Senate report.
July 22, 1959	House reported H. R. 4697 with amendments. House Report 697. Print of bill and House report.
July 24, 1959	Senate passed S. 1110 as reported.
Aug. 3, 1959	House passed S. 1110 without amendment in lieu of H. R. 4697. H. R. 4697 was laid on table due to passage of S. 1110.
Aug. 11, 1959	Approved: Public Law 86-153.

THE JOURNAL OF THE

THE JOURNAL OF THE	1871
THE JOURNAL OF THE	1872
THE JOURNAL OF THE	1873
THE JOURNAL OF THE	1874
THE JOURNAL OF THE	1875
THE JOURNAL OF THE	1876
THE JOURNAL OF THE	1877
THE JOURNAL OF THE	1878
THE JOURNAL OF THE	1879
THE JOURNAL OF THE	1880
THE JOURNAL OF THE	1881
THE JOURNAL OF THE	1882
THE JOURNAL OF THE	1883
THE JOURNAL OF THE	1884
THE JOURNAL OF THE	1885
THE JOURNAL OF THE	1886
THE JOURNAL OF THE	1887
THE JOURNAL OF THE	1888
THE JOURNAL OF THE	1889
THE JOURNAL OF THE	1890
THE JOURNAL OF THE	1891
THE JOURNAL OF THE	1892
THE JOURNAL OF THE	1893
THE JOURNAL OF THE	1894
THE JOURNAL OF THE	1895
THE JOURNAL OF THE	1896
THE JOURNAL OF THE	1897
THE JOURNAL OF THE	1898
THE JOURNAL OF THE	1899
THE JOURNAL OF THE	1900

DIGEST OF PUBLIC LAW 86-153

CONVEYANCE OF MINERAL INTEREST IN LAND TO CLEMSON COLLEGE.

Authorizes the sale at fair market value of reserved mineral interests in certain submarginal lands conveyed to Clemson College, S. C. , in 1954 under the Bankhead-Jones Farm Tenant Act.

86TH CONGRESS
1ST SESSION

H. R. 4697

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1959

Mr. DORN of South Carolina introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress) to provide for conveyance of certain interests in the lands covered by such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to direct the Secretary of
4 Agriculture to release on behalf of the United States con-
5 ditions in two deeds conveying certain submarginal lands to
6 Clemson Agricultural College of South Carolina so as to
7 permit such college, subject to certain conditions, to sell,
8 lease, or otherwise dispose of such lands", approved August
9 4, 1955 (Public Law 237, Eighty-fourth Congress; 60 Stat.

1 496), is amended by adding at the end thereof the fol-
2 lowing:

3 “SEC. 3. (a) Upon application made within the ten-
4 year period which begins on the date of enactment of this
5 Act and, subject to subsection (c) of this section, all the
6 undivided mineral interests of the United States in the lands
7 which were conveyed by the two deeds described in the first
8 section of this Act shall be conveyed to the Clemson Agri-
9 cultural College of South Carolina by the Secretary of the
10 Interior upon the payment of an amount equal to the fair
11 market value of such interests, as determined by appraisal or
12 otherwise.

13 “(b) Upon application made within the ten-year period
14 which begins on the date of enactment of this Act, and, sub-
15 ject to subsection (c) of this section, all the undivided min-
16 eral interests of the United States in any parcel or tract of
17 land among the lands conveyed by the two deeds described
18 in the first section of this Act may be conveyed to the Clem-
19 son Agricultural College of South Carolina by the Secretary
20 of the Interior upon the payment of an amount equal to the
21 fair market value of such interests, as determined by ap-
22 praisal or otherwise.

23 “(c) This section shall not apply to the mineral inter-
24 ests of the United States in the seven thousand three hundred

1 eighty and five-tenths acres of land taken by eminent domain
2 in civil action 2446 in the United States District Court for
3 the Western District of South Carolina.”

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

By Mr. Dorn of South Carolina

FEBRUARY 18, 1959

Referred to the Committee on Agriculture

86TH CONGRESS
1ST SESSION

S. 1110

IN THE SENATE OF THE UNITED STATES

FEBRUARY 19, 1959

Mr. JOHNSTON of South Carolina (for himself and Mr. THURMOND) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to direct the Secretary of
4 Agriculture to release on behalf of the United States condi-
5 tions in two deeds conveying certain submarginal lands to
6 Clemson Agricultural College of South Carolina so as to
7 permit such college, subject to certain conditions, to sell,
8 lease, or otherwise dispose of such lands", approved August
9 4, 1955 (Public Law 237, Eighty-fourth Congress; 60 Stat.
10 496), is amended by adding at the end thereof the following:

1 “SEC. 3. (a) Upon application made within the ten-
2 year period which begins on the date of enactment of the
3 Act, and, subject to subsection (c) of this section, all the
4 undivided mineral interests of the United States in the lands
5 which were conveyed by the two deeds described in the first
6 section of this Act shall be conveyed to the Clemson Agri-
7 cultural College of South Carolina by the Secretary of the
8 Interior upon the payment of an amount equal to the fair
9 market value of such interests, as determined by appraisal or
10 otherwise.

11 “(b) Upon application made within the ten-year pe-
12 riod which begins on the date of enactment of this Act, and,
13 subject to subsection (c) of this section, all the undivided
14 mineral interests of the United States in any parcel or tract
15 of land among the lands conveyed by the two deeds de-
16 scribed in the first section of this Act may be conveyed to the
17 Clemson Agricultural College of South Carolina by the Sec-
18 retary of the Interior upon the payment of an amount equal to
19 the fair market value of such interests, as determined by
20 appraisal or otherwise.

21 “(c) This section shall not apply to the mineral interests
22 of the United States in the seven thousand three hundred
23 eighty and one-half acres of land taken by eminent
24 domain in Civil Action 2446 in the United States District
25 Court for the Western District of South Carolina.”

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

By Mr. JOHNSTON of South Carolina and Mr.
THURMOND

FEBRUARY 19, 1959
Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued July 8, 1959
For actions of July 7, 1959
86th-1st, No. 113

Acreage allotments.....	4
Appropriations.....	21
Banking.....	30
Buildings.....	9
Civil defense.....	14
Disaster relief.....	3
Electrification.....	19
Farm housing.....	32
Farm labor.....	32
Farm loans.....	5
Farm program.....	15,24
Feed and seed.....	3
Foreign aid.....	10
Forestry.....	1,23
Housing.....	11,32
Inflation.....	13
Information.....	10
Interest rates.....	30
Labor.....	18
Lands.....	6,29

Legislative program.....	9
Libraries.....	26
Meat grading.....	25
Milk.....	2
Monopolies.....	12
Mutual security.....	10
Peanuts.....	4
Personnel.....	3,16
Property.....	20
Public Law 480.....	10
Reorganization.....	1
Research.....	10,32
Rural development.....	27
St. Lawrence Seaway.....	22
Soil bank.....	31
Surplus food.....	17
Surplus property.....	28
Tobacco.....	15
Watersheds.....	7
Wheat.....	15

HIGHLIGHTS: House agreed to resolution to disapprove Reorganization Plan 1 on forest land authorities. House committee voted to report bills to: Extend special milk program. Require State contributions to feed and seed costs in disaster areas. Extend authority for refinancing farm loans. Senate debated mutual security bill. Senate received President's veto of housing bill. Sen. Dirksen introduced and discussed bill to extend and expand conservation reserve program.

HOUSE

- 1. FORESTRY; REORGANIZATION.** Agreed to, 266 to 124, H. Res. 295, to disapprove Reorganization Plan No. 1 of 1959, which would transfer from Interior to this Department certain authorities for the exchange or sale of forest land and timber. p. 11618. (This action means the plan has been rejected by the Congress.)
- 2. MILK.** The Agriculture Committee voted to report (but did not actually report) with amendment S. 1289, to increase and extend the special milk program. p. D575
- 3. DISASTER RELIEF.** The Agriculture Committee voted to report (but did not actually report) with amendment H. R. 6861, to require contributions by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas. p. D575

4. PEANUTS. The Agriculture Committee voted to report (but did not actually report) with amendment H. R. 4938, to continue the exemption of green peanuts from acreage allotments and marketing quotas. p. D575
5. FARM LOANS. The Agriculture Committee voted to report (but did not actually report) with amendment H. R. 7319, to amend Sec. 17 of the Bankhead Jones Farm Tenant Act so as to continue the authority of FHA to make real estate loans for refinancing farm debts. p. D575
6. LANDS. The Agriculture Committee voted to report (but did not actually report) with amendment H. R. 4697, to provide for conveyance of certain interests to Clemson Agricultural College in the lands previously conveyed to the college. p. D575
7. WATERSHEDS. The "Daily Digest" states that the Agriculture Committee approved two watershed projects in Washington State. p. D575
8. PERSONNEL. A subcommittee of the Judiciary Committee voted to report to the full committee H. R. 7529, to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel. p. D576
9. LEGISLATIVE PROGRAM. The "Daily Digest" states that the House will consider on Wed. H. R. 7645, to provide for the construction, alteration, and acquisition of Federal buildings. p. D575

SENATE

10. MUTUAL SECURITY. Continued debate on S. 1451, the mutual security authorization bill for 1959 (pp. 11679-81, 11700-10, 11712-19, 11720-52, 11753). Agreed to an amendment by Sen. Humphrey to provide that foreign currencies appropriated under sec. 104 (k) of Public Law 480 for scientific research, translations, and dissemination of scientific information shall be "over and above the dollar appropriations" for this purpose. Sen. Humphrey explained this was a clarifying amendment as a result of a Budget Bureau interpretation "that the soft currencies were to be taken out of dollar funds appropriated for a particular item." (pp. 11748-9)
11. HOUSING. Received from the President his veto message on S. 57, the housing bill for 1959. Several Senators debated the President's action in vetoing the bill. pp. 11689-700, 11752
12. MONOPOLIES. Concurred in a House amendment to S. 726, to amend the Clayton Act so as to provide for the more expeditious enforcement of cease and desist orders. This bill will now be sent to the President. pp. 11686-7, 11710-12
13. INFLATION. Sen. Butler inserted an article, "Creeping Catastrophe," discussing the dangers of inflation, and stated that he completely endorsed the report of the Cabinet Committee on price stability for economic growth. pp. 11687-8
14. CIVIL DEFENSE. Sen. Young, O., criticized the civil defense activities of the Office of Civil and Defense Mobilization, and urged that these functions be "distributed to the agencies where they properly belong." pp. 11683-5
Sen. Javits inserted and discussed a report by the Governor of N. Y. "on the civil defense posture of the United States," and stated that an effective civil defense program is indispensable to our security. pp. 11688-9

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

Issued July 15, 1959
For actions of July 14, 1959
86th-1st, No. 117

CONTENTS

Appropriations5,11,15,25,35,37
Budget.....	11
Census.....	26
Civil defense.....	8,27
Conservation.....	6
Contracts.....	36,39
Cotton.....	3
Crop insurance.....	3
Economic stability.....	34
Electrification.....	13
Farm program.....	21
Fisheries.....	14
Food stamps.....	21
Foreign affairs.....	18
Foreign trade.....	20
Forest highways.....	35
Forestry.....	10
Grain.....	3,22
Health.....	31
Housing.....	33
Imports.....	22
Information.....	28
Insecticides.....	3

Lands.....	3,23
Legislative program.....	12
Marketing.....	3,26
Oils.....	17
On-farm training.....	7
Personnel.....	10,16,31
Postal rates.....	38
Prices.....	34
Public Law 480.....	3,20
Purchasing.....	19
Reclamation.....	29
Retirement.....	16
River basins.....	30
St. Lawrence Seaway.....	24
Saline water.....	9
Small business.....	39
Stockpile.....	17
Sugar.....	2
Surplus food.....	4,20
Surplus property.....	32
Vehicles.....	19,31
Veterans.....	7
Waterfowl.....	3
Wheat.....	1,3,11

HIGHLIGHTS: Senate committee reported International Wheat Agreement. Senate committee voted to report International Sugar Agreement. Senate committee voted to report bills to extend Public Law 480, to increase durum wheat allotments, and to make surplus cotton available to textile mills. Sens. Bush, Bennett, and Dirksen introduced and Sen. Bush discussed housing bill.

SENATE

1. The Foreign Relations Committee reported without reservation the new International Wheat Agreement (Exec. Rept. 5) (p. 12074).
2. SUGAR. The Foreign Relations Committee voted to report (but did not actually report) the new International Sugar Agreement. p. D603
3. THE AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: p. D603
 - S. 1748, without amendment, to extend Public Law 480.
 - S. 314, without amendment, to direct the Secretary to make available to textile mills CCC surplus cotton at reduced prices.
 - S. 1282, with amendment, to provide for the establishment of an advisory committee to study and recommend to the Secretary increases in durum wheat allotments.

S. 2133, without amendment, to make permanent the act of July 3, 1956, authorizing Interior to requisition low-quality grain from CCC to use in the prevention of waterfowl depredations.

S. 1453, without amendment, to authorize the Secretary to sell and convey a tract of land to Keosauqua, Iowa.

H. R. 306, without amendment, to permit the Crop Insurance Board to determine when there is sufficient demand for crop insurance in a county to warrant the program being established there.

H. R. 6436, with amendment, to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants.

S. 2014, with amendment, to amend the Capper-Volstead Act so as to provide for farmer association ownership of marketing facilities by exempting such associations from the anti-trust laws.

S. 669, with amendment to authorize the Secretary to convey a tract of land to a church in Henderson, Tenn.

S. 1110, with amendment, to authorize the Secretary to convey interests in submarginal lands to Clemson College, S. C.

4. SURPLUS FOODS. The "Daily Digest" states that the Agriculture and Forestry Committee "considered, but took no final action on, pending legislation relative to distribution of foods." p. D603
5. DEFENSE DEPARTMENT APPROPRIATION BILL, 1960. Passed, 90 to 0, with amendments this bill, H. R. 7454 (pp. 12105-30, 12132-51). Conferees were appointed (p. 12151). House conferees have not yet been appointed.
6. CONSERVATION. The Labor and Public Welfare Committee voted to report (but did not actually report) with amendments S. 812, to establish a Youth Conservation Corps. p. D604
Sens. Randolph and Humphrey commended the bill and urged its enactment. pp. 12103-4, 12157
7. VETERANS. The Labor and Public Welfare Committee reported with amendment S. 1138, to provide for readjustment assistance to veterans who served in the Armed Forces between Jan. 31, 1955 and July 1, 1963, including payments for courses in on-farm training (S. Rept. 514). pp. 12074, 12165
8. CIVIL DEFENSE. Sen. McGee inserted an article by Sen. Young, O., "Civil Defense: A National Disgrace," critical of the civil defense program. pp. 12093-5
9. SALINE WATER. Sen. Johnson stated that "the Interior Department has just announced that Freeport, Tex., has been selected as the site of the first saline-water conversion demonstration plant on the gulf coast," and commended the selection of this site for construction of the plant. p. 12098
10. FORESTRY; PERSONNEL. Sen. Murray commended the service of Howard R. Jones, who has retired from the Forest Service, stating that he "is the model of the type of loyal and dedicated career Federal employee whose value we all recognize." p. 12102
11. BUDGET. Sen. Symington stated that "the Congress cut the administration's appropriation requests in the last 5 fiscal years by \$10,603,874,716," and contended that the "President recently vetoed a wheat bill which would have saved about \$260 million." pp. 12102-3

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued July 16, 1959
For actions of July 15, 1959
86th-1st, No. 118

Acreage allotments.....	2,3	
Administrative agencies.....	21	
Appropriations.....	5	
Area redevelopment.....	15	
Buildings.....	34	
Civil defense.....	17	
Contracts.....	30	
Corn.....	27	
Cotton.....	2,3,13	
Crop insurance.....	2	
Eggs.....	12	
Farm labor.....	11,28	
Farm program.....	29	
Food.....	17	
Forestry.....	19,24	
Grain.....	2	
Health insurance.....	13,36	
Housing.....	9	
Inflation.....	18	
Insecticides.....	2	
Labor standards.....	33	
Lands.....	2,20,32	
Leasing.....	20	
Legislative program.....	13,22	
Marketing.....	2	
Military construction.....	22	
Milk.....	35	
Minerals.....	20,31	
On-farm training.....	4	
Personnel.....	10,13,14,30,36	
Public Law 480.....	2	
Public works.....	16,22	
Reclamation.....	6,16,26	
Research.....	5	
Retirement.....	36	
Saline water.....	5	
Textiles.....	7,13	
Veterans.....	4	
Water resources.....	8,23	
Waterfowl.....	2	
Wheat.....	1,2,25	

HIGHLIGHTS: Senate ratified International Wheat Agreement. Senate committee reported bills to extend Public Law 480, to increase durum wheat allotments, to make surplus cotton available to textile mills, and to permit farmer association ownership of marketing facilities. Sen. Stennis urged enactment of legislation to continue automatic preservation of acreage allotment histories. House committee voted to report bill to increase Federal travel per diem rates.

SENATE

1. **WHEAT.** By a vote of 92 to 1, agreed to a resolution of ratification of the new International Wheat Agreement (the Agreement is to remain in force for 3 years, until July 31, 1962). pp. 12234-44
2. **THE AGRICULTURE AND FORESTRY COMMITTEE** reported the following bills: pp. 12178-9
 - S. 1748, without amendment, to extend Public Law 480 (S. Rept. 522).
 - S. 314, without amendment, to direct the Secretary to make available to textile mills CCC surplus cotton at reduced prices (S. Rept. 520).
 - S. 1282, with amendment, to provide for the establishment of an advisory committee to study and recommend to the Secretary increases in durum wheat allotments (S. Rept. 527).
 - S. 2133, without amendment, to make permanent the act of July 3, 1956, authorizing Interior to requisition low-quality grain from CCC to use in the

prevention of waterfowl depredations (S. Rept. 524).

S. 1453, without amendment, to authorize the Secretary to sell and convey a tract of land to Keosauqua, Iowa (S. Rept. 521).

H. R. 306, without amendment, to permit the Crop Insurance Board to determine when there is sufficient demand for crop insurance in a county to warrant the program being established there (S. Rept. 526).

H. R. 6436, with amendment, to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants (S. Rept. 579).

S. 2014, with amendment, to amend the Capper-Volstead Act so as to provide for farmer association ownership of marketing facilities by exempting such associations from the anti-trust laws (S. Rept. 528).

S. 669, without amendment to authorize the Secretary to convey a tract of land to a church in Henderson, Tenn. (S. Rept. 523).

S. 1110, with ~~two~~ amendments, to authorize the Secretary to convey interests in submarginal lands to Clemson College, S. C. (S. Rept. 525).

3. COTTON. Sen. Stennis urged the enactment of legislation to make permanent the automatic preservation of acreage allotment histories, stating that unless his bill, S. 62, "or some modified plan is adopted during this session, procedures for protecting acreage history will revert back to complicated and costly procedures in effect prior to 1957," and inserted a table prepared by this Department showing the number of cotton farms on which no cotton allotment was planted during 1958. pp. 12189-90
4. VETERANS. Passed over, at the request of Sen. Hart, S. 1138, to provide for readjustment assistance to veterans who served in the Armed forces between Jan. 31, 1955, and July 1, 1963, including payments for courses in on-farm training. p. 12261
5. APPROPRIATIONS. Sen. Keating urged the enactment of legislation to authorize the President to reduce or eliminate, by Executive order, amounts from appropriation bills, stating that such authority "is an essential step to achieving long-term Federal fiscal responsibility. pp. 12201-2
The supplemental appropriation estimate received from the President July 13 (S. Doc. 37) includes \$1,500,000 for the construction of the first demonstration plant to convert sea water to fresh water and \$50,000 for the design of a demonstration plant to convert brackish water to fresh water. The funds are to remain available until Sept. 3, 1965.
6. RECLAMATION. Sen. Douglas criticized the Interior Department for not responding to his letters for a "meaningful reply as to whether they intend to carry out the basic purpose of the reclamation law" limiting the amount of water from Federal reclamation projects to those farms not in excess of 160 acres, and inserted his recent letter to Interior on the matter. pp. 12198-9
7. TEXTILE IMPORTS. Sen. Stennis urged a study for the purpose of restricting the importation of cotton textiles, and stated that "It is my understanding that the cotton industry has filed a special appeal with the Secretary of Agriculture, and I urge the Secretary to bring this critical matter to the immediate attention of the President." pp. 12197-8
8. WATER RESOURCES. Sen. Chavez urged the "establishment of a national policy with respect to water resources development project," and inserted a letter he received from GAO in which GAO "reiterated the need for greater uniformity with respect to cost sharing of water resources projects." p. 12196

SALE OF RESERVED MINERAL INTERESTS

JULY 15, 1959.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 1110]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1110) to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act, having considered the same, report thereon with a recommendation that it do pass with amendments.

This bill provides for the sale at fair market value of certain reserved mineral interests in certain lands in South Carolina. The lands concerned were conveyed by the Government to Clemson College in 1954 under the Bankhead-Jones Farm Tenant Act, subject to a public use requirement and the reservation of certain mineral interests. In 1955 Congress authorized the Secretary of Agriculture to release the public use requirements, and this bill provides for the sale of the mineral interests. At the suggestion of the Department of Agriculture, the committee has recommended amendments to restrict the sale of mineral interests to those lands which are released from the public use requirement. The bill and the amendments are more fully explained in the attached letter from the Department.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 7, 1959.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of February 20, 1959, for a report on S. 1110, a bill to amend the act of August 4, 1955 (Public Law 237, 84th Cong.) to provide for conveyance of certain interests in the lands covered by such act.

We have no objection to enactment of S. 1110 if amended as recommended herein.

This bill would amend the act of August 4, 1955 (69 Stat. 496), which directs the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College so as to permit the college, subject to certain conditions, to sell or exchange such lands. S. 1110 would provide upon application within a 10-year period that all the undivided mineral interests of the United States in the lands conveyed to Clemson Agricultural College shall be conveyed to the college by the Secretary of the Interior upon payment of an amount equal to the fair market value of such interests as determined by appraisal or otherwise. In addition, the bill would provide that the Secretary of the Interior may similarly convey the mineral interests of the United States in any parcel or tract of land among the lands conveyed to Clemson Agricultural College.

The lands which would be affected by the bill consist of about 20,000 acres in the Clemson College land utilization project (SC-LU-3) in Anderson, Oconee, and Pickens Counties, S.C., acquired by the Federal Government in the 1930's and administered pursuant to provisions of title III of the Bankhead-Jones Farm Tenant Act. Title to this project was granted to the college on December 22, 1954. As required by the Bankhead-Jones Farm Tenant Act, the conveyance was made subject to a public use requirement and the reservation to the United States of certain mineral interests. The grant consisted of about 27,470 acres but, subsequently, the Federal Government reacquired by eminent domain action 7,380.5 acres for the Hartwell Dam and Reservoir, a Corps of Engineers project. These federally reacquired lands would not be subject to S. 1110.

The act of August 4, 1955 (69 Stat. 496) directs the Secretary of Agriculture to release the public use requirements and permit the college to sell or exchange portions of the lands covered by agreements entered into by the Secretary and the college.

Upon application of the college, a tract of 36.62 acres was released from the public purpose requirement on December 31, 1958. The college advised in its application that it desired to sell the tract to the Surety Insurance Co. so that the company might erect thereon and lease to Saco-Lowell Shops a building to be used for research in the development of improved textile manufacturing machinery. Objections by the prospective purchaser to the outstanding mineral rights make it necessary for the college to obtain the reserved mineral interests so they may be conveyed with the land. In connection with other planned developments, the college may desire to make other dispositions of the lands through sales or land exchanges.

In order to meet the situation faced by the college, we believe that it is necessary to convey only the reserved interests on those tracts covered by agreement and released from the public use requirement under the 1955 act. To accomplish this, page 2 of the bill should be amended as follows:

1. Strike all after "SEC. 3." in line 1 through line 10.
2. Line 11, change "(b)" to "(a)".
3. Lines 11 and 12, strike the words "made within the ten-year period which begins on the date of enactment of this Act," and strike the comma following the word "and".

4. Line 13, change "(c)" to "(b)".
5. Lines 15 and 16, strike the words "among the lands conveyed by the two deeds described in the first section of" and insert the words "released pursuant to".
6. Line 16, between the words "Act" and "may" insert the words "from the said conditions as to such lands".
7. Line 21, change "(c)" to "(b)".

As a correcting amendment, we suggest that in line 9, page 1 of the bill, "60" be changed to "69".

It is our understanding that in any conveyance of mineral interests of the United States the Secretary of the Interior would establish the fair market value of such mineral interests by appraisal or otherwise.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 237—84TH CONGRESS

AN ACT To direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the conditions, contained in two deeds, both dated December 22, 1954, conveying certain submarginal lands in Anderson, Oconee, and Pickens Counties, South Carolina, to Clemson Agricultural College of South Carolina, which require that the lands conveyed be used for public purposes and provide for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the conditions referred to in section 1 only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the college in which the college, in consideration of the release of said conditions as to such lands, agrees—

- (1) that all proceeds from the sale or exchange of such lands shall be used by the college for the acquisition of lands within the exterior boundaries of the project or for the development or improvement of lands within the project;

(2) that any lands acquired by the sale or exchange of the lands covered by such agreement shall become a part of the project established on the lands conveyed by the two deeds referred to in section 1 and shall be subject to the conditions with respect to the use of such lands for public purposes contained in such deeds; and

(3) that all proceeds from the sale, lease, or other disposition of the lands covered by such agreement shall be maintained by the college in a separate fund and that the record of all transactions involving such fund shall be open to inspection by the Secretary.

SEC. 3. (a) Upon application and subject to subsection (b) of this section, all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the said conditions as to such lands may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

(b) This section shall not apply to the mineral interests of the United States in the seven thousand three hundred eighty and one-half acres of land taken by eminent domain in Civil Action 2446 in the United States District Court for the Western District of South Carolina.



Calendar No. 522

86TH CONGRESS
1ST SESSION

S. 1110

[Report No. 525]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 19, 1959

Mr. JOHNSTON of South Carolina (for himself and Mr. THURMOND) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JULY 15, 1959

Reported by Mr. JOHNSTON of South Carolina, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to direct the Secretary of
4 Agriculture to release on behalf of the United States condi-
5 tions in two deeds conveying certain submarginal lands to
6 Clemson Agricultural College of South Carolina so as to
7 permit such college, subject to certain conditions, to sell,
8 lease, or otherwise dispose of such lands", approved August
9 4, 1955 (Public Law 237, Eighty-fourth Congress; ~~60~~ 69

1 Stat. 496), is amended by adding at the end thereof the
2 following:

3 “~~SEC. 3. (a)~~ Upon application made within the ten-
4 year period which begins on the date of enactment of the
5 Act, and, subject to subsection ~~(e)~~ of this section, all the
6 undivided mineral interests of the United States in the lands
7 which were conveyed by the two deeds described in the first
8 section of this Act shall be conveyed to the Clemson Agri-
9 cultural College of South Carolina by the Secretary of the
10 Interior upon the payment of an amount equal to the fair
11 market value of such interests, as determined by appraisal or
12 otherwise.

13 “~~(b)~~ Upon application made within the ten-year pe-
14 riod which begins on the date of enactment of this Act, and,
15 subject to subsection ~~(e)~~ of this section, all the undivided
16 mineral interests of the United States in any parcel or tract
17 of land among the lands conveyed by the two deeds de-
18 scribed in the first section of this Act may be conveyed to the
19 Clemson Agricultural College of South Carolina by the Sec-
20 retary of the Interior upon the payment of an amount equal to
21 the fair market value of such interests, as determined by
22 appraisal or otherwise.

23 “*SEC. 3. (a) Upon application and subject to subsection*
24 *(b) of this section, all the undivided mineral interests of the*
25 *United States in any parcel or tract of land released pur-*

1 *suant to this Act from the said conditions as to such lands*
2 *may be conveyed to the Clemson Agricultural College of*
3 *South Carolina by the Secretary of the Interior upon the*
4 *payment of an amount equal to the fair market value of such*
5 *interests, as determined by appraisal or otherwise.*

6 “(e) (b) This section shall not apply to the mineral
7 interests of the United States in the seven thousand three
8 hundred eighty and one-half acres of land taken by eminent
9 domain in Civil Action 2446 in the United States District
10 Court for the Western District of South Carolina.”

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

By Mr. JOHNSTON of South Carolina and Mr.

TURNER

FEBRUARY 19, 1959

Read twice and referred to the Committee on
Agriculture and Forestry

JULY 15, 1959

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

CONTENTS

Issued July 23, 1959
For actions of July 22, 1959
86th-1st, No. 123

Administrative

management.....	25
Agricultural policy.....	31
Appropriations.....	7
Area redevelopment.....	9,18
Buildings.....	14,30
Civil defense.....	13
Commissions.....	29,31
Contracts.....	25
Electrification.....	5
Fair trade.....	20
Farm program.....	19
Food for peace.....	11
Foreign affairs.....	4,8
Foreign aid.....	1,28
Foreign trade.....	12
Forestry.....	10,17
Lands.....	3,30
Legislative program.....	16

Measures.....	27
Meat grading.....	24
Milk.....	32
Minerals.....	2
Mutual security.....	1
Purchasing.....	6
Reclamation.....	16,22
Research.....	10,29
Rural development.....	18
School lunch.....	32
Small business.....	23
Surplus food.....	1,8,28,32
Textiles.....	21
Trademarks.....	15
Vehicles.....	6
Weights.....	27

HIGHLIGHTS: Both Houses agreed to conference report on mutual security authorization bill. Sen. Stennis urged increased funds for forest research.

HOUSE

1. MUTUAL SECURITY. Both Houses agreed to the conference report on H. R. 7500, the mutual security authorization bill for 1959 (pp. 12771-82, 12748-57). This bill will now be sent to the President. (See Digest 122 for items of interest to this Department.) In response to a question by Sen. Cooper as to whether the authorization on the bill for making surplus commodities available for domestic relief "makes it clear that the Department of Agriculture can make available for our domestic relief program, and for the school lunch program, surplus food which it holds, without waiting for some sale for foreign currency," Sen. Fulbright stated that "It is my belief, and that of the staff and the conferees, that the provision as finally adopted does provide the authority to do that ... We were afraid that if it were made mandatory, the orderly administration of the program might be interrupted, if it became necessary to check every area in the United States before the foods could be made available for export.

But it is very clear that under any reasonable, sensible administration, the foods will be made available to the domestic programs" (p. 12757).

2. MINERALS. The Interior and Insular Affairs Committee reported with amendment H. R. 6940, to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to Alaska (H. Rept. 699). p. 12792
3. LANDS. The Agriculture Committee reported with amendments H. R. 4697, to provide for the conveyance of certain interests to Clemson Agricultural College in lands previously conveyed to the College (H. Rept. 697). p. 12792
4. FOREIGN AFFAIRS. The Rules Committee reported a resolution for consideration of H. R. 7072, to provide for U. S. participation in the Inter-American Development Bank. p. 12792
5. ELECTRIFICATION. The Rules Committee reported a resolution "agreeing to the Senate amendments to H. R. 3460," to amend the TVA Act of 1933 so as to provide for the issuance of revenue bonds by TVA to finance additions to its power system. p. 12792
6. PURCHASING. The Interstate and Foreign Commerce Committee voted to report (but did not actually report) H. R. 1341, to require passenger-carrying vehicles purchased for use by the Federal Government to meet certain safety standards. p. D646
7. INDEPENDENT OFFICES APPROPRIATION BILL, 1960. Conferees were granted permission until midnight Wed., July 22, to file a report on this bill, H. R. 7040. p. 12783
8. FOREIGN AFFAIRS; SURPLUS FOODS. Reps. Edmondson and Boland urged adoption of proposals "to establish from our mothballed Navy a new White Fleet of mercy ships, to carry American surplus foods, medical aid and supplies to disaster and distress areas all over the world." p. 12786
9. AREA REDEVELOPMENT. Rep. Carnahan urged the enactment of area redevelopment legislation to provide Federal assistance to industrial and rural areas, particularly as a means of supplementing the income of low-income farmers. pp. 12787-8

SENATE

10. FORESTRY. Sen. Stennis urged increased appropriations for forestry research, stating, "I have recommended that \$2.5 million be made available immediately for the construction of several key laboratories ... to replace the makeshift facilities now being used in some places," and proposing an "immediate increase of one-half million dollars for strengthening a few of the most critical basic research programs in such fields as insect and disease research, watershed management, wildlife habitat and recreation, and timber marketing research," and announcing his intention to try to get funds included in the supplemental appropriation bill for these purposes. pp. 12737-8
- Sen. Fulbright explained that "millions of acres" of land in Arkansas are being blighted by brush which precludes the healthy growing of grass and merchantable timber, stated that a research project between Forest Service and the University of Arkansas has been proposed to look into methods of controlling this scrub timber, and inserted his letter, a letter from Under Secretary Morse, and an article on the subject. pp. 12579-60

CONVEYANCE OF MINERAL RIGHTS TO CLEMSON AGRICULTURAL COLLEGE

JULY 22, 1959.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

R E P O R T

[To accompany H.R. 4697]

The Committee on Agriculture, to whom was referred the bill (H.R. 4697) to amend the act of August 4, 1955 (Public Law 237, 84th Cong.) to provide for conveyance of certain interests in the lands covered by such act, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page , line 9, change "60" to "69".

Page , line 3, strike out all after "SEC. 3" in line 3 and strike out lines 4 through 12.

Page 2, line 13, change "(b)" to "(a)".

Page 2, lines 13 and 14, strike the words "made within the ten-year period which begins on the date of enactment of this Act," and strike the comma following the word "and".

Page 2, line 15, change "(c)" to "(b)".

Page 2, lines 17 and 18, strike the words "among the lands conveyed by the two deeds described in the first section of" and insert the words "released pursuant to".

Page 2, line 18, after the word "Act" insert the words "from the said conditions as to such lands".

Page 2, lines 21 and 22, strike out the words "appraisal or otherwise" and insert the words "the Secretary".

Page 2, line 23, change "(c)" to "(b)".

STATEMENT

The purpose of this bill is to direct the Secretary of the Interior to convey the undivided mineral rights of the United States in certain submarginal lands previously conveyed to Clemson Agricultural Col-

lege to that college upon payment of the fair market value of such mineral rights.

The land affected by this bill consists of some 20,000 acres in Anderson, Oconee, and Pickens Counties, S. C. This land is part of an original 819,000-acre tract acquired by the Federal Government in the 1930's pursuant to title III of the Bankhead-Jones Farm Tenant Act. Title to some 27,000 acres was conveyed by the United States to Clemson College in 1954, subject to a public use requirement and a reservation of certain mineral rights. Although the 1954 conveyance consisted of some 27,000 acres, the Federal Government later reacquired some 7,000 acres for a U.S. Army Corps of Engineers project at the Hartwell Dam and Reservoir. This 7,000-acre tract is specifically exempted by the bill.

In 1955 Congress passed Public Law 84-237 which directed the Secretary of Agriculture under certain conditions to release the public-use requirements and permit the college to sell and exchange portions of the lands covered by agreements between the Secretary of Agriculture and Clemson College. Public Law 84-237 provided that the college must agree to the following conditions before the public-use requirement could be released:

1. Use all proceeds from the sale or exchange of such lands for the acquisition of other lands within the project or the development or improvement of the project;

2. Make any lands acquired pursuant to such sale or exchange a part of the project and subject to the conditions with respect to public use contained in the deeds conveying the land to the college; and

3. Maintain the proceeds from any disposition of lands covered by the agreements in a separate fund, the records of which shall be open to inspection by the Secretary of Agriculture.

Upon application by Clemson College, the Secretary of Agriculture released from the public-use requirement 36.62 acres of land on December 31, 1958. The college, however, was unable to sell this land because the potential purchaser objected to the reservation by the United States of the mineral rights. The college, in other words, was unable to convey a clear fee simple absolute title. In order to remedy this and similar situations in the future, a number of bills were introduced by the South Carolina delegation to direct the Secretary of the Interior to release all the reserved mineral rights to the college. In addition to this bill the committee considered identical bills, H.R. 4681, by Mr. Ashmore; H.R. 4709, by Mr. Hemphill; H.R. 4723, by Mr. McMillan; H.R. 4738, by Mr. Riley; and H.R. 4739, by Mr. Rivers.

COMMITTEE AMENDMENT

As introduced, H.R. 4697 would have provided that anytime within 10 years after enactment of Public Law 84-237, the Secretary of the Interior on payment of the fair market value, as determined by appraisal or otherwise, would convey to the college the mineral rights in all 20,000 acres covered by the bill. In addition, the bill, as introduced, would have required the Secretary of the Interior to convey the mineral rights in any parcel or tract of land among the lands previously conveyed the college.

The Department of Agriculture recommended a number of amendments which the committee has adopted. The net effect of these

amendments is to limit the authority of the Secretary of the Interior to convey the mineral rights only on those tracts covered by agreement and actually released from public-use requirements by the Secretary of Agriculture pursuant to Public Law 84-237. The committee has also adopted the technical and clerical amendments recommended by the two Departments.

In addition, the committee adopted an amendment to clarify any possible ambiguity involved in the phrase "appraisal or otherwise" on page 2, lines 21 and 22. The committee feels that the Secretary of the Interior has sufficient facilities and personnel to make a proper appraisal of the market value of the affected mineral rights.

DEPARTMENTAL POSITION

Both the Department of Agriculture and the Department of the Interior do not object to the enactment of H.R. 4697 with recommended amendments. The committee has adopted the recommended amendments.

The Departments' reports are as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 7, 1959.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request of February 19, 1959, for a report on H.R. 4723, a bill to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act.

We have no objection to enactment of H.R. 4723 if amended as recommended herein.

This bill would amend the act of August 4, 1955 (69 Stat. 496), which directs the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College so as to permit the college, subject to certain conditions, to sell or exchange such lands. H.R. 4723 would provide upon application within a 10-year period that all the undivided mineral interests of the United States in the lands conveyed to Clemson Agricultural College shall be conveyed to the college by the Secretary of the Interior upon payment of an amount equal to the fair market value of such interests as determined by appraisal or otherwise. In addition, the bill would provide that the Secretary of the Interior may similarly convey the mineral interests of the United States in any parcel or tract of land among the lands conveyed to Clemson Agricultural College.

The lands which would be affected by the bill consist of about 20,000 acres in the Clemson College land utilization project (SC-LU-3) in Anderson, Oconee, and Pickens Counties, S.C., acquired by the Federal Government in the 1930's and administered pursuant to provisions of title III of the Bankhead-Jones Farm Tenant Act. Title to this project was granted to the college on December 22, 1954. As required by the Bankhead-Jones Farm Tenant Act, the conveyance was made subject to a public-use requirement and the reservation to the United States of certain mineral interests. The grant consisted

of about 27,470 acres but, subsequently, the Federal Government reacquired by eminent domain action 7,380.5 acres for the Hartwell Dam and Reservoir, a Corps of Engineers project. These federally reacquired lands would not be subject to H.R. 4723.

The act of August 4, 1955 (69 Stat. 496), directs the Secretary of Agriculture to release the public-use requirements and permit the college to sell or exchange portions of the lands covered by agreements entered into by the Secretary and the college.

Upon application of the college, a tract of 36.62 acres was released from the public-purpose requirement on December 31, 1958. The college advised in its application that it desired to sell the tract to the Surety Insurance Co. so that the company might erect thereon and lease to Saco-Lowell Shops a building to be used for research in the development of improved textile manufacturing machinery. Objections by the prospective purchaser to the outstanding mineral rights make it necessary for the college to obtain the reserved mineral interests so they may be conveyed with the land. In connection with other planned developments, the college may desire to make other dispositions of the lands through sales or land exchanges.

In order to meet the situation faced by the college, we believe that it is necessary to convey only the reserved mineral interests on those tracts covered by agreement and released from the public-use requirement under the 1955 act. To accomplish this, page 2 of the bill should be amended as follows:

1. Strike all after "SEC. 3." in line 3 through line 12.
2. Line 13, change "(b)" to "(a)".
3. Lines 13 and 14, strike the words "made within the ten-year period which begins on the date of enactment of this Act." and strike the comma following the word "and".
4. Line 15, change "(c)" to "(b)".
5. Lines 17 and 18, strike the words "among the lands conveyed by the two deeds described in the first section of" and insert the words "released pursuant to".
6. Line 18, between the words "Act" and "may" insert the words "from the said conditions as to such lands".
7. Line 23, change "(c)" to "(b)".

As a correcting amendment, we suggest that in line 9, page 1 of the bill "60" be changed to "69".

It is our understanding that in any conveyance of mineral interests of the United States the Secretary of the Interior would establish the fair market value of such mineral interests by appraisal or otherwise.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 4, 1959.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, D.C.*

MY DEAR MR. COOLEY: There are now pending before your committee H.R. 4681, H.R. 4697, H.R. 4709, H.R. 4723, H.R. 4738, and H.R. 4739, all of which are bills to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act.

We would not object to the enactment of one of these bills.

On December 22, 1954, the Secretary of Agriculture on behalf of the United States executed two deeds conveying certain submarginal lands in Anderson, Oconee, and Pickens Counties, S.C., to Clemson Agricultural College of South Carolina. The deeds covered 17,983.59 acres in Anderson and Oconee Counties and 9,485.46 acres in Pickens County. The United States reserved an undivided three-fourths interest in the minerals, and conveyed the land subject to the condition that the land be used for public purposes, with reversion of title to the United States in case of failure to use it for such purposes. The act of August 4, 1955 (69 Stat. 496), directed the Secretary of Agriculture under certain circumstances to release the conditions imposed as to use for public purposes.

The six bills under consideration, which are all identical with one another, would amend the act of August 4, 1955, by the addition of a new section 3. Subsection (a) of the new section would direct the Secretary of the Interior to convey all the undivided mineral interests of the United States in the lands covered by the 1955 act to Clemson College upon application filed within 10 years of the date of approval of that act. The college would be required to pay an amount equal to the fair market value of the minerals conveyed, as determined by appraisal or otherwise. Subsection (b) would provide for conveyance in similar fashion of all the undivided mineral interests of the United States in "any parcel or tract of land among the lands conveyed by the two deeds * * *." Subsection (c) would exclude from the scope of section 3 the 7,380.5 acres of land taken by eminent domain in civil action 2446 in the U.S. District Court for the Western Division of South Carolina.

Our only interest in this matter lies in the fact that this Department has authority to lease the minerals in these lands under the Mineral Leasing Act for Acquired Lands (30 U.S.C., secs. 351-359). Our records indicate that there are no outstanding permits or leases, or applications therefor, covering these lands. When we were informed that legislation of this type would be introduced, the Eastern States office of the Bureau of Land Management was instructed to suspend all action for the disposition of the mineral interests in these lands.

There is one amendment of a technical nature which should be made. The correct citation for the act of August 4, 1955, is "69 Stat. 496," not "60 Stat. 496" as it appears in each of the six bills. We also direct your attention to the fact that the period for submitting applications which would be established by both subsection (a) and subsection (b) would run from the date of the approval of the original statute, i.e., August 4, 1955, not from the date of approval of the legislation under consideration in this Congress.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

PUBLIC LAW 84-237

AN ACT To direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the conditions, contained in two deeds, both dated December 22, 1954, conveying certain submarginal lands in Anderson, Oconee, and Pickens Counties, South Carolina, to Clemson Agricultural College of South Carolina, which require that the land conveyed be used for public purposes and provide for a reversion of such lands to the United States if at any time they cease to be so used.

SEC. 2. The Secretary shall release the conditions referred to in section 1 only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the college in which the college, in consideration of the release of said conditions as to such lands, agrees—

(1) that all proceeds from the sale or exchange of such lands shall be used by the college for the acquisition of lands within the exterior boundaries of the project or for the development or improvement of lands within the project;

(2) that any lands acquired by the sale or exchange of the lands covered by such agreement shall become a part of the project established on the lands conveyed by the two deeds referred to in section 1 and shall be subject to the conditions with respect to the use of such lands for public purposes contained in such deeds; and

(3) that all proceeds from the sale, lease, or other disposition of the lands covered by such agreement shall be maintained by the college in a separate fund and that the record of all transactions involving such fund shall be open to inspection by the Secretary.

SEC. 3. (a) Upon application made within the ten-year period which begins on the date of enactment of this Act and, subject to subsection (c) of this section, all the undivided mineral interests of the United States in the lands which were conveyed by the two deeds described in the first section of this Act shall be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

(b) Upon application made within the ten-year period which begins on the date of enactment of this Act, and, subject to subsection (c) of this section, all the undivided mineral interests of the United States in any parcel or tract of land among the lands conveyed by the two deeds described in the first section of this Act may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

(c) This section shall not apply to the mineral interests of the United States in the seven thousand three hundred eighty and five-tenths acres of land taken by eminent domain in civil action 2446 in the United States District Court for the Western District of South Carolina.



Union Calendar No. 295

86TH CONGRESS
1ST SESSION

H. R. 4697

[Report No. 697]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1959

Mr. DORN of South Carolina introduced the following bill; which was referred to the Committee on Agriculture

JULY 22, 1959

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress) to provide for conveyance of certain interests in the lands covered by such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to direct the Secretary of
4 Agriculture to release on behalf of the United States con-
5 ditions in two deeds conveying certain submarginal lands
6 to Clemson Agricultural College of South Carolina so as to
7 permit such college, subject to certain conditions, to sell,
8 lease, or otherwise dispose of such lands", approved August
9 4, 1955 (Public Law 237, Eighty-fourth Congress; ~~60~~ 69

1 Stat. 496), is amended by adding at the end thereof the fol-
2 lowing:

3 “SEC. 3. ~~(a)~~ Upon application made within the ten-
4 year period which begins on the date of enactment of this
5 Act and, subject to subsection ~~(e)~~ of this section, all the
6 undivided mineral interests of the United States in the lands
7 which were conveyed by the two deeds described in the first
8 section of this Act shall be conveyed to the Clemson Agri-
9 cultural College of South Carolina by the Secretary of the
10 Interior upon the payment of an amount equal to the fair
11 market value of such interests, as determined by appraisal or
12 otherwise.

13 “~~(b)~~ *(a)* Upon application made within the ten-year
14 period which begins on the date of enactment of this Act, and,
15 and subject to subsection ~~(e)~~ *(b)* of this section, all the undi-
16 vided mineral interests of the United States in any parcel
17 or tract of land among the lands conveyed by the two deeds
18 described in the first section of *released pursuant to* this Act
19 *from the said conditions as to such lands* may be conveyed
20 to the Clemson Agricultural College of South Carolina by
21 the Secretary of the Interior upon the payment of an amount
22 equal to the fair market value of such interests, as determined
23 by appraisal or otherwise *the Secretary*.

1 “~~(e)~~ (b) This section shall not apply to the mineral in-
2 terests of the United States in the seven thousand three
3 hundred eighty and five-tenths acres of land taken by emi-
4 nent domain in civil action 2446 in the United States Dis-
5 trict Court for the Western District of South Carolina.”

86TH CONGRESS
1ST SESSION

H. R. 4697

[Report No. 697]

A BILL

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

By Mr. DORN of South Carolina

FEBRUARY 18, 1959

Referred to the Committee on Agriculture

JULY 22, 1959

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued July 27, 1959
For actions of July 24, 1959
86th-1st, No. 125

Adjournment.....	20		
Administrative law.....	18		
Appropriations.....	26		
Area redevelopment.....	19		
Brucellosis.....	22		
Conservation.....	16		
Contracts.....	3		
Cotton.....	11		
Crop insurance.....	1		
Durum wheat.....	8		
Economic growth.....	10		
Foreign aid.....	25		
Foreign trade.....	6,11		
Forestry.....	4		
Grain.....	2		
Hearings.....	18		
Housing.....	17		
Inflation.....	23		
Lands.....	4		
Livestock disease.....	22		
Marketing.....	9		
Minerals.....	13		
Monopolies.....	27		
Mutual security.....	25		
Personnel.....	7		
Property.....	24		
Public Law 480.....	6		
Reclamation.....	5		
Research.....	21		
Surplus food.....	6,15		
Taxation.....	10		
Veterans.....	12		
Waterfowl.....	2		
Wheat.....	8,14		

HIGHLIGHTS: Sen. Dirksen urged enactment of wheat legislation. Sen. Thurmond urged restrictions on imports of cotton textiles.

SENATE

1. CROP INSURANCE. Passed without amendment H. R. 306, to permit the Crop Insurance Board to determine when there is sufficient demand for crop insurance in a county to warrant the program being established in the county. This bill will now be sent to the President. p. 12974
2. SURPLUS GRAIN; WATERFOWL. Passed without amendment H. R. 7631, to make permanent the act of July 3, 1957, authorizing Interior to requisition low-quality grain from CCC to use in the prevention of waterfowl depredations. This bill will now be sent to the President. After passing a similar bill, S. 2133, the vote was reconsidered at the request of Sen. Mansfield, and the bill was indefinitely postponed. p. 12973
3. CONTRACTS. Passed without amendment H. R. 4060, to eliminate Government responsibility for fixing dates on which the period of limitation for filing suits against Miller Act payments bonds commences to run on most Federal construction projects. This bill will now be sent to the President. p. 12978
4. LANDS. Passed without amendment S. 1453, to authorize this Department to sell a tract of Forest Service land to Keosauqua, Iowa. pp. 12972-3

Passed as reported S. 669, to authorize this Department to convey a tract of Forest Service land to a church in Henderson, Tenn. p. 12973

Passed ~~without amendment~~ ^{as reported} S. 1110, to authorize this Department to convey interests in submarginal lands to Clemson College, S. C. pp. 12973-4

Passed without amendment S. 1436, to amend the act of June 14, 1956, so as to provide that there shall be no limitation on the acreage conveyed to the States for public parks. pp. 12976-7

5. RECLAMATION. Passed as reported S. 281, to authorize the Secretary of the Interior to construct a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho. pp. 12980-98
6. FOREIGN TRADE; SURPLUS COMMODITIES. Passed over, at the request of Sen. Bartlett S. 1748, to extend Public Law 480. p. 12973
7. PERSONNEL. Passed over, at the request of Sen. Bartlett, S. 1845, to authorize the Secretary of Commerce to fix the annual rates of basic compensation of examiners-in-chief of patents, including a provision to increase the salaries of the Administrative Assistant Secretaries to \$19,000. p. 12971
8. DURUM WHEAT. Passed over, at the request of Sen. Bartlett, S. 1282, to provide for the establishment of an advisory committee to study and recommend to the Secretary increases in durum wheat acreage allotments. p. 12974
9. MARKETING FACILITIES. Passed over, at the request of Sens. Keating and Bartlett, S. 2014, to amend the Capper-Volstead Act so as to provide for farmer association ownership of marketing facilities by exempting such associations from the anti-trust laws. p. 12974
10. TAXATION; ECONOMIC GROWTH. Agreed to a resolution authorizing the printing of 1000 additional copies of a Joint Economic Committee print, "Federal Tax Policy for Economic Growth and Stability." p. 12971
11. COTTON TEXTILES; FOREIGN TRADE. Sen. Thurmond expressed concern over the amount of cotton textile imports, and urged the Secretary of Agriculture to take action, as recommended by the National Cotton Council, to limit cotton textile imports. pp. 13002-3
12. VETERANS. Sen. Yarborough inserted a statement explaining the provisions of S. 1138, to provide readjustment assistance to veterans who serve in the Armed Forces between Jan. 31, 1955 and July 1, 1963. pp. 13005-7
13. MINERALS. The Interior and Insular Affairs Committee reported with amendment S. 1855, to amend the Mineral Leasing Act of 1920 to increase certain acreage limitations with respect to Alaska (S. Rept. 579). p. 12939
14. WHEAT. Sen. Dirksen urged the enactment of a wheat bill and stated that in the recent wheat referendum, "there was no realistic choice to be indicated by the farmers who voted," because "they had their choice between the present program, with its excessive costs and the likelihood that excessive stocks will continue to pile up, or no program," while Sen. Symington stated that the wheat referendum results show that "farmers have overwhelmingly expressed a willingness, in fact, a desire, to cooperate in adjusting their production in turn for some degree of protection against sharp price fluctuations," and that the vote "again repudiated the claims of the Secretary of Agriculture ... that they wheat farmers would prefer freedom from production adjustment measures." Sen.

Lodge of the Ancient Order of United Workmen of North Dakota by deed dated December 10, 1936, and recorded in Van Buren County in book 78 on page 303.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954—BILL PASSED OVER

The bill (S. 1748) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that the bill go over, since it is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LANDS TO THE BETHEL BAPTIST CHURCH OF HENDERSON, TENN.

The Senate proceeded to consider the bill (S. 669) to authorize the Secretary of Agriculture to convey certain lands to the Bethel Baptist Church of Henderson, Tenn., which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 3, after the roman numerals "III", to insert "and title IV", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of title III and title IV of the Bankhead-Jones Farm Tenant Act, the Secretary of Agriculture is authorized and directed to convey to the Bethel Baptist Church, Henderson, Tennessee, by quitclaim deed all right, title, and interest of the United States in and to any parcel of land, not to exceed six-tenths of an acre, which may hereafter be conveyed, without consideration, to the United States by the State of Tennessee from lands located in the Chickasaw State Park, Tennessee, and which were previously conveyed by the United States to the State of Tennessee under the provisions of title III of the Bankhead-Jones Farm Tenant Act.

(b) The conveyance herein authorized to be made by the Secretary shall be conditional upon payment to the United States for the land conveyed of an amount equal to the fair market value of such land as determined by the Secretary; and such conveyance shall be made without reversionary rights in the United States.

SEC. 2. In the event the State of Tennessee fails, within one year after the date of enactment of this Act, to convey a parcel of land to the United States for reconveyance to the Bethel Baptist Church as provided in the first section of this Act, the authority granted by this Act shall terminate and be of no further force or effect.

Mr. MORSE. Mr. President, S. 669 authorizes the Secretary of Agriculture to sell approximately an acre of land to the Bethel Baptist Church in Henderson, Tenn., at the fair market value.

The small tract of land is a part of the former Chickasaw Forest land utilization project conveyed to the State of Tennessee by the Federal Government for public park purposes. The conveyance contained a provision that the land was to be used for public purposes or revert to the United States.

The Baptist Church has expressed an interest in acquiring the parcel in ques-

tion for a church parsonage. The State indicates a willingness to make the parcel available to the church by declaring the parcel surplus to its needs. It will reconvey to the United States if the Federal Government will agree to convey the property to the church at the fair market value.

In view of the fact that fair market value would be paid for the land, the bill does not violate the Morse formula.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PREVENTION OF WATERFOWL DEPREDATIONS

The bill (S. 2133) to amend the act of July 3, 1956 (70 Stat. 402), entitled "An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 3, 1956 (70 Stat. 492), entitled "An Act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes," is amended by repealing and deleting therefrom section 5.

Mr. MANSFIELD subsequently said: Mr. President, the Senate, during the call of the calendar today passed Senate bill 2133, amending an act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes.

It appears that a companion House bill, H.R. 7631, is in the Committee on Agriculture and Forestry, which reported the Senate bill. The bills are identical. In order to expedite the enactment of the legislation, I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the consideration of H.R. 7631, and that the Senate immediately proceed to consider the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana that the Committee on Agriculture and Forestry be discharged from the consideration of H.R. 7631? The Chair hears none, and it is so ordered.

The clerk will state the House bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 7631) to amend the act of July 3, 1956 (70 Stat. 492), entitled "An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which H.R. 7631 was passed be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote by which Senate bill 2133 was passed be reconsidered, and that the bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the vote by which the Senate bill 2133 was passed is reconsidered; and the Senate bill is indefinitely postponed.

CONVEYANCE OF CERTAIN INTERESTS IN LANDS COVERED BY PUBLIC LAW 237, 84TH CONGRESS

The Senate proceeded to consider the bill (S. 1110) to amend the act of August 4, 1955 (Public Law 237, 84th Congress), to provide for conveyance of certain interests in the lands covered by such act which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 9, after the word "Congress", to strike out "60" and insert "69"; on page 2, after line 2, to strike out:

SEC. 3. (a) Upon application made within the ten-year period which begins on the date of enactment of the Act, and, subject to subsection (c) of this section, all the undivided mineral interests of the United States in the lands which were conveyed by the two deeds described in the first section of this Act shall be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

(b) Upon application made within the ten-year period which begins on the date of enactment of this Act, and, subject to subsection (c) of this section, all the undivided mineral interests of the United States in any parcel or tract of land among the lands conveyed by the two deeds described in the first section of this Act may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

And, in lieu thereof, to insert:

SEC. 3. (a) Upon application and subject to subsection (b) of this section, all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the said conditions as to such lands may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

And, on page 3, at the beginning of line 6, to strike out "(c)" and insert "(b)", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds con-

veying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands", approved August 4, 1955 (Public Law 237, Eighty-fourth Congress; 69 Stat. 496), is amended by adding at the end thereof the following:

"SEC. 3. (a) Upon application and subject to subsection (b) of this section, all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the said conditions as to such lands may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

"(b) This section shall not apply to the mineral interests of the United States in the seven thousand three hundred eighty and one-half acres of land taken by eminent domain in Civil Action 2446 in the United States District Court for the Western District of South Carolina."

Mr. MORSE. Mr. President, S. 1110 authorizes the conveyance of reserved mineral interests in certain land in South Carolina to Clemson College at the fair market value.

The lands upon which the mineral rights were preserved were conveyed by the Federal Government to Clemson College in 1954 without consideration, with a public use requirement provision and a minerals right reservation. In 1955 Congress authorized the Secretary of Agriculture to release from the public use requirements 36.62 acres of the land previously conveyed.

S. 1110 provides for the sale of the mineral interests to the college on the 36.62 acreage at the fair market value. According to the committee report, Clemson College desires to acquire the reserved mineral interests so that it can convey these interests should it desire to exchange or sell a portion of the property. Any profits from the sale of the land would be used for the development and improvement of the remaining land or for the acquisition of more suitable property.

In view of the fact that fair market value would be paid for the mineral rights, the bill does not violate the Morse formula.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

The bill (H.R. 306) to amend the Federal Crop Insurance Act was considered, ordered to a third reading, read the third time, and passed.

Mr. JORDAN. Mr. President, the bill just passed, (H.R. 306) repeals the existing provision of law which prohibits Federal crop insurance being provided in a county unless 200 farms or one-third of the farms normally producing the commodity apply for such insurance. The provision which is repealed has prevented expansion or continuance of the program where it would have been to the

best interest of farmers and the Corporation and is uneconomical, on occasion preventing expansion or continuation of the program in a county after considerable funds have been expended by the Corporation. The Department of Agriculture favors enactment of the bill.

BILLS PASSED OVER

The bill (S. 1282) relating to acreage allotments for durum wheat, was announced as next in order.

Mr. KEATING. Mr. President, may I ask that either the author of the bill or the chairman of the committee give us an explanation of the bill?

Mr. BARTLETT. Mr. President, I ask that Calendar No. 524, S. 1282, be passed over, by request.

The PRESIDING OFFICER. Upon request of the Senator from Alaska, the bill will be passed over.

The bill (S. 1014) to clarify and amend the Capper-Volstead Act—42 Stat. 388, 7 U.S.C. 291-292—and for other purposes, was announced as next in order.

Mr. KEATING. Over, Mr. President.

Mr. BARTLETT. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

INSTRUCTION AT U.S. MILITARY ACADEMY OF TWO CITIZENS OF THE KINGDOM OF THAILAND

The resolution (S.J. Res. 24) authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to permit, within one year after the date of enactment of this joint resolution, two persons, citizens and subjects of the Kingdom of Thailand, to receive instruction at the United States Military Academy at West Point, New York; but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Army such persons shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Military Academy appointed from the United States; but they shall not be entitled to appointment to any office or position in the United States Army by reason of their graduation from the United States Military Academy.

SEC. 3. Nothing in this joint resolution shall be construed to subject such persons to the provisions of section 4346(d) and section 4348 of title 10 of the United States Code.

INSTRUCTION AT U.S. NAVAL ACADEMY OF TWO CITIZENS OF THE KINGDOM OF BELGIUM

The joint resolution (S.J. Res. 106) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens

and subjects of the Kingdom of Belgium was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to permit, within one year after date of enactment of this joint resolution, two persons, citizens and subjects of the Kingdom of Belgium, to receive instruction at the United States Naval Academy at Annapolis, Maryland; but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Navy such persons shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Naval Academy appointed from the United States; but they shall not be entitled to appointment to any office or position in the United States Navy by reason of their graduation from the United States Naval Academy.

SEC. 3. Nothing in this joint resolution shall be construed to subject such persons to the provisions of section 6959 of title 10 of the United States Code.

ACQUISITION AND TRANSFER OF CERTAIN REAL PROPERTY IN COUNTY OF SOLANO, CALIF.

The Senate proceeded to consider the bill (H.R. 697) to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes, which had been reported from the Committee on Armed Services, with an amendment on page 6, line 4, after "130+", to strike out "8.26" and insert "78.26".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF WARNER ROBINS, GA.

The Senate proceeded to consider the bill (H.R. 5927) to authorize the conveyance to the city of Warner Robins, Ga., of about 29 acres of land comprising a part of Robins Air Force Base.

Mr. MORSE. Mr. President, H.R. 5927 authorizes the Secretary of the Air Force to convey to the city of Warner Robins, Ga., at fair market value, approximately 29 acres of land comprising a part of Robins Air Force Base, including the improvements thereon.

The land and improvements have been declared surplus to the needs of the Air Force and the enactment of the measure will not involve any expenditure of Federal funds.

The Department of Defense and the Bureau of the Budget state that they have no objection to the passage of the bill.

August 3, 1957

5. FOREIGN AFFAIRS. Both Houses received from the National Advisory Council on International Monetary and Financial Problems a report on its activities for July 1 to Dec. 31, 1958. pp. 13568, 13719
6. VETERANS' BENEFITS. Sens. Young, O., and Yarborough urged the enactment of legislation to provide education benefits to veterans who have served in the Armed Forces since the Korean conflict. pp. 13600-2
7. FORESTRY; NATURAL RESOURCES. Sen. Nauberger inserted a letter from the Citizens Committee on Natural Resources urging the enactment of legislation for the preservation of wilderness areas. pp. 13609-10
Sen. Murray inserted an article by the chief of staff of the Menninger Foundation discussing the need for recreational activities, and stating that "wilderness and near wilderness areas are essential to the mental health of both children and adults." pp. 13626-8
8. TEXTILES. Sen. Pastore inserted a Department of Commerce press release discussing the first meeting of the interdepartmental Textile Industry Advisory Committee studying problems in the textile industry. pp. 13618-9
9. MINERALS. S. 1855, to amend the Mineral Leasing Act of 1920 so as to increase certain acreage limitations with respect to Alaska, was made the unfinished business. p. 13653
10. ECONOMIC CONDITIONS. Sen. Javits discussed the "economic and budgetary realities confronting the Congress," including comments on inflation, Federal expenditures, foreign aid, and the importance of food in our foreign aid program. pp. 13657-69
Sen. Williams, Del., discussed our "serious economic and financial crisis," and urged a reduction in Federal expenditures and the control of inflation. pp. 13675-80
11. ELECTRIFICATION. Sen. Morse opposed proposed legislation to authorize Federal subsidies to private power companies operating up-stream storage dams, and inserted a statement by Rep. Ullman, and his own statement before the S. Interstate and Foreign Commerce Committee, opposing such legislation. pp. 13682-4

HOUSE

12. MILK. Passed, under suspension of the rules, S. 1289, to increase and extend the special milk program (pp. 13710-2). Earlier in the day, at the request of Rep. Pelly, S. 1289 was passed over without prejudice (p. 13690). See Digest 124 for the provisions of this bill.
13. DISASTER RELIEF. Passed, under suspension of the rules, H. R. 6861, to require contributions by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas. pp. 13709-10
14. PEANUTS. Passed as reported H. R. 4938, to continue the exemption of green peanuts from acreage allotments and marketing quotas. p. 13690
15. COTTON. Debated, under suspension of the rules, H. R. 7740, to provide for the preservation of acreage history and the reallocation of unused cotton acreage allotments. In the light of an absence of a quorum and under unanimous agreement, the vote on this bill was passed over until Wed., Aug. 5. pp. 13702-9

16. FARM LOANS. Passed with amendment S. 1512, to amend the Federal Farm Loan Act so as to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks. The House previously passed with amendment H. R. 6353, a similar bill, and then substituted the provisions of H. R. 6353 for the language in S. 1512, and H. R. 6353 was laid on the table. The amendment, which was offered by Rep. Murray, was to make the retirement deductions 7% for certain employees who would become employees of the banks. pp. 13690-7
- Passed without amendment H. R. 7629, to amend Sec. 17 of the Bankhead-Jones Farm Tenant Act so as to continue indefinitely the authority of FMA to make real estate loans for refinancing farm debts. p. 13698
17. LANDS; LEASING; MINERALS. Passed without amendment S. 1110, to allow this Department to convey interests in submarginal lands to Clemson College, S.C. H. R. 4697, a similar bill, was laid on the table. This bill will now be sent to the President. p. 13690
- Passed as reported H. R. 6940, to amend the Mineral Leasing Act of 1920 so as to increase certain acreage limitations with respect to Alaska. p. 13699
- Passed as reported H. R. 6939, to amend the act providing for the leasing of coal lands in Alaska so as to increase the acreage limitation in such act. p. 13699-700
- Passed without amendment H. R. 5849, to modify conditions under which Alaska may select lands made subject to lease, permit, license, or contract. p. 13701
- The Subcommittee on Departmental Oversight and Consumer Relations of the Agriculture Committee voted to report to the full committee two bills: (1) H. R. 5442, to authorize this Department to convey certain lands in Iowa to the city of Keosauqua; and (2) H. R. 6669, with amendment, to provide that the Louisiana State University may use certain real property heretofore conveyed to it for general educational purposes. p. D701
18. RECLAMATION. Conferees were appointed on S. 994, to authorize the Interior Department to construct, operate, and maintain the Spokane Valley project, Wash and Idaho, under Federal reclamation laws. Senate conferees have been appointed. p. 13687
19. COCONUT OIL. Passed over, at the request of Rep. Weaver, H. J. Res. 441, to authorize the disposition of approximately 265 million pounds of coconut oil from the national stockpile. p. 13690
20. DEFENSE DEPARTMENT APPROPRIATION BILL FOR 1960. Received the conference report on this bill, H. R. 7454 (H. Rept. 743). pp. 13685-7, 13719
21. INTERGOVERNMENTAL RELATIONS. The Government Operations Committee reported (on July 31, during adjournment) with amendment H. R. 6904, to establish an advisory Commission on Intergovernmental Relations (H. Rept. 742). p. 13719
22. FOREIGN TRADE. A report submitted on July 29, on the Second Meeting of the Canada-United States Interparliamentary Group (U. S. Members of Congress and Canadian M. P.'s), includes a discussion on trade problems (relating mainly to minerals) between the two countries and a section on boundary water problems, including the St. Lawrence Seaway (H. Rept. 730).
23. TEXTILES; FOREIGN TRADE. The Ways and Means Committee voted to report (but did not actually report) two bills with amendment: (1) H. R. 2886, to suspend for 3 years the import duties on certain classifications of spun silk yarn; and (2) H. R. 6249, to liberalize the tariff laws for works of art and other exhibition material. p. D702

for railroad purposes granted to the Port of Boston Authority and a drainage easement to the city of Boston, in consideration of the conveyance by the Massachusetts Port Authority to the United States of America, free of all encumbrances, the following lands, together with any improvements thereon: (a) An area of approximately 60,300 square feet occupied by the United States under permit A-260 issued by the Port of Boston Commission of the Commonwealth of Massachusetts, bearing Department of the Navy Instrument numbered NOY (R)-65507; and (b) an area of approximately 109,264 square feet occupied by the United States under permit A-261 issued by the Port of Boston Commission of the Commonwealth of Massachusetts, bearing Department of the Navy Instrument numbered NOY (R)-65508.

SEC. 2. The conveyance to the Massachusetts Port Authority authorized by the first section of this Act shall be made subject to the following express conditions: (a) That the Massachusetts Port Authority, at its own expense, will preserve and maintain in a condition suitable for, and not inconsistent with, the purposes of the Authority, the lands and the improvements existing on said property on the date of enactment of this Act and those which may be constructed thereon after such date of enactment; (b) that in a time of war or national emergency the United States shall have the right of the free and unlimited use of all said property including any improvements which may be erected by the grantee, but the United States shall pay a fair rental for any improvements made after the date of enactment of this Act and shall be responsible during the period of such use for the entire cost of maintaining said property.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING COAST GUARD TO SELL CERTAIN UTILITIES

The Clerk called the bill (S. 577) to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2481 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended as follows:

(A) By striking out the words "of a military department" and inserting in place thereof the word "concerned".

(B) By striking out the word "or" immediately following the words "Air Force," and inserting the words "or Coast Guard," immediately following the words "Marine Corps,".

(2) Subsection (c) is amended by striking out the words "of the military department".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING COAST GUARD TO SELL SUPPLIES TO VESSELS

The Clerk called the bill (S. 1367) to amend title 14, United States Code, entitled "Coast Guard", to authorize the

Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 17 of title 14, United States Code, is amended by adding the following new section:

"Sec. 654. The Secretary under such regulations as he may prescribe, may sell to public and commercial vessels and other watercraft, such fuel, supplies and furnish such services as may be required to meet the necessities of the vessel or watercraft if such vessel or watercraft is unable—

"(1) to procure the fuel, supplies, or services from other sources at its present location; and

"(2) to proceed to the nearest port where they may be obtained without endangering the safety of the ship, the health and comfort of its personnel, or the safe condition of the property carried aboard.

Sales under this section shall be at such prices as the Secretary considers reasonable. Payment will be made on a cash basis or on such other basis as will reasonably assure prompt payment. Amounts received from such a sale shall, unless otherwise directed by another provision of law, be credited to the current appropriation concerned and are available for the same purposes as that appropriation."

SEC. 2. The analysis of chapter 17 of title 14, United States Code, is amended by adding the following new item:

"654. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED COMPENSATION OF KEEPERS OF LIGHTHOUSES

The Clerk called the bill (H.R. 2245) to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from \$3,750 to \$5,100 per annum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14 of the United States Code, subsection 432(g), is amended by striking the amount "\$3,750" therein and inserting in lieu thereof the amount "\$5,100".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER BY NAVY TO COAST GUARD OF CERTAIN PROPERTY

The clerk called the bill (H.R. 7943) to authorize the Coast Guard to accept, operate, and maintain a certain defense housing facility at Yorktown, Va., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 2153, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Coast Guard is authorized to accept from the Department of the Navy, without reimbursement, the forty-two unit defense housing facility at Yorktown, Virginia, and to operate and maintain such facility on a rental basis for occupancy by Coast Guard personnel and their dependents pursuant to the provisions of the Act of July 2, 1945 (59 Stat. 316; 37 U.S.C. 111a).

SEC. 2. Until June 30, 1960, rents collected may be utilized in operating and maintaining the facility, after which date they shall be deposited in the Treasury to the credit of miscellaneous receipts. Coast Guard appropriations shall be available for the cost of operating and maintaining the housing facility.

SEC. 3. The administration of the housing facility by the Coast Guard shall, except as provided in section 2, be in conformity with the administration of similar housing projects by the other Armed Forces.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7943) was laid on the table.

DISPOSAL FROM THE NATIONAL STOCKPILE

The Clerk called the concurrent resolution (H. Con. Res. 166) providing the express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile.

There being no objection, the Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended; 50 U.S.C. 98b(a)), the disposal of the following materials from the national stockpile in accordance with the plans of disposal published by General Services Administration in the Federal Register on the dates indicated—

(a) approximately forty-seven thousand and forty-nine carats of rough cuttable gem-quality diamonds and eight thousand four hundred and twelve carats of cut and polished gem-quality diamonds, Federal Register of August 5, 1958 (23 F.R. 5944);

(b) approximately twenty-seven troy ounces of osmium, two thousand five hundred and fifteen troy ounces of rhodium and fifty-one ounces of ruthenium, Federal Register of August 15, 1958 (23 F.R. 6311); and

(c) approximately fifteen thousand nine hundred and two short dry tons of zircon

concentrates, Federal Register of March 13, 1959 (24 F.R. 1844).

All funds derived from the sales authorized by this concurrent resolution shall be deposited into the Treasury as miscellaneous receipts.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

COCONUT OIL

The Clerk called the joint resolution (H.J. Res. 441) relating to the disposition of coconut oil from the national stockpile under the Strategic and Critical Materials Stockpiling Act.

Mr. WEAVER. Mr. Speaker, at the request of another Member who is unable to be present today, I ask unanimous consent that this measure be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska.

There was no objection.

RETIREMENT OF U.S. COMMISSIONERS

The Clerk called the bill (H.R. 163) to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(1) of the Civil Service Retirement Act (5 U.S.C. 2253(1)) is amended—

(1) by striking out in the first sentence thereof "on the basis of one three hundred and thirtieth of a year for each day on which such United States commissioner renders service in such capacity" and inserting in lieu thereof "on the basis of one two hundred and thirty-eighth of a year for each day on which such United States commissioner renders service in such capacity"; and

(2) by striking out in the second sentence thereof "three hundred and thirteen days in any one year" and inserting in lieu thereof "two hundred and thirty-eight days in any one year".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That section 3(1) of the Civil Service Retirement Act (5 U.S.C. 2253(1)) is amended—

"(1) by striking out in the first sentence thereof 'on the basis of one three-hundred-and-thirtieth of a year for each day on which such United States commissioner renders service in such capacity' and inserting in lieu thereof 'on the basis of one three-hundred-and-thirtieth of a year for each day prior to July 1, 1945, and one two-hundred-and-sixtieth of a year for each day after June 30, 1945, on which such United States commissioner renders service in such capacity'; and

"(2) by striking out in the second sentence thereof 'for more than three hundred and thirteen days in any one year' and inserting in lieu thereof 'for more than three hundred and thirteen days in any one year prior to July 1, 1945, or for more than two hundred and sixty days in any one year after June 30, 1945'.

"Sec. 2. Notwithstanding any other provision of law, benefits payable by reason of the

amendments made by the first section of this Act shall be paid from the civil service retirement and disability fund.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL MILK PROGRAM FOR CHILDREN

The Clerk called the bill (S. 1289) to increase and extend the special milk program for children.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PEANUTS FOR BOILING

The Clerk called the bill (H.R. 4938) to amend the Agricultural Adjustment Act of 1938 to make permanent the definition of "peanuts" which is now in effect on a temporary basis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of the Act entitled "An Act to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes", approved August 13, 1937 (7 U.S.C. 1359 note), is repealed.

With the following committee amendment:

Page 1, line 7, strike the word "repealed" and insert "amended by striking the word 'and' and inserting after the figure '1959' the words '1960 and 1961'".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect."

A motion to reconsider was laid on the table.

AMENDING ACT OF AUGUST 4, 1955, (PUBLIC LAW 237, 84TH CONGRESS)

The Clerk called the bill (H.R. 4697) to amend the Act of August 4, 1955 (Public Law 237, 84th Cong.) to provide for conveyance of certain interests in the lands covered by such act.

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 1110) to amend the act of August 4, 1955 (Public Law 237, 84th Cong.), to provide for conveyance of certain interests in the lands covered by such act.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands", approved August 4, 1955 (Public Law 237, Eighty-fourth Congress; 69 Stat. 496), is amended by adding at the end thereof the following:

"SEC. 3. (a) Upon application and subject to subsection (b) of this section, all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the said conditions as to such lands may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests as determined by appraisal or otherwise.

"(b) This section shall not apply to the mineral interests of the United States in the seven thousand three hundred eighty and one-half acres of land taken by eminent domain in Civil Action 2446 in the United States District Court for the Western District of South Carolina."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

AMENDING FEDERAL FARM LOAN ACT

The Clerk called the bill (H.R. 6353) to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY. Mr. Speaker, reserving the right to object, I have an amendment to this bill. I have discussed it with the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY]. I do not think there is any objection to the amendment on his part. The amendment has been gone through very fully with the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. COOLEY. Mr. Speaker, I have discussed the proposed amendment with the gentleman from Tennessee. While I have no right to accept the amendment, I have agreed to accept it for the purpose of taking it to conference at least. So I have no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

Public Law 86-153
86th Congress, S. 1110
August 11, 1959

AN ACT

73 STAT. 333.

To amend the Act of August 4, 1955 (Public Law 237, Eighty-fourth Congress), to provide for conveyance of certain interests in the lands covered by such Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to direct the Secretary of Agriculture to release on behalf of the United States conditions in two deeds conveying certain submarginal lands to Clemson Agricultural College of South Carolina so as to permit such college, subject to certain conditions, to sell, lease, or otherwise dispose of such lands", approved August 4, 1955 (Public Law 237, Eighty-fourth Congress; 69 Stat. 496), is amended by adding at the end thereof the following:

Clemson Agricultural College, S. C.
Conveyance of land interests.

"SEC. 3. (a) Upon application and subject to subsection (b) of this section, all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the said conditions as to such lands may be conveyed to the Clemson Agricultural College of South Carolina by the Secretary of the Interior upon the payment of an amount equal to the fair market value of such interests, as determined by appraisal or otherwise.

"(b) This section shall not apply to the mineral interests of the United States in the seven thousand three hundred eighty and one-half acres of land taken by eminent domain in Civil Action 2446 in the United States District Court for the Western District of South Carolina."

Approved August 11, 1959.

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